



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

September 12, 2006

LETTER OF DEFICIENCY #WSEB 06-137
Certified Mail #7099 3400 0003 6156 4098

Cheri Nichols
Coach and Four Motor Inn
755 Monadnock Hwy
East Swanzey, NH 03445

Subject: Marlborough - Public Water System: Coach and Four Motor Inn (EPA #1488010)

Dear Ms. Nichols:

The records of the Department of Environmental Services (DES) show that the Coach and Four Motor Inn water system is classified as a public water system (PWS), as defined by RSA 485:1a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people, for 60 or more days per year. As such, the water system owner is required to submit samples according to the system's established Master Sampling Schedule to the State laboratory or a State-certified laboratory in compliance with NH Administrative Rules Env-Ws 321 through 330.

DES records show that the subject water system failed to submit the required Nitrate sample for the fourth quarter 2005, and as a result, a Notice of Violation (NOV) was issued to the water system on February 10, 2006, a copy of which is enclosed. Pursuant to Env-Ws 351, the NOV noted the requirement that public notice of the Nitrate monitoring and reporting violation be performed within 30 days and that proof of public notice be sent to DES within 10 days of performing such public notice. DES acknowledges that the required fourth quarter 2005 Nitrate sample was submitted as a make-up sample; however, the water system was required to provide proof of public notice to all consumers for the fourth quarter 2005 Nitrate sample.

As a result of the failure to perform public notice for the fourth quarter 2005 Nitrate monitoring and reporting violation, another NOV, dated April 14, 2006, was sent to you, a copy of which is enclosed. This NOV requested that you perform the overdue public notice within 7 days and then immediately provide proof of public notice to DES.

To date, no proof of public notice has been received by DES for the fourth quarter 2005 Nitrate monitoring and reporting violation, thus placing the water system in violation of Env-Ws 351.

DES believes the public notice violation can be corrected, and future violations prevented, by taking the following actions:

1. **By September 22, 2006**, carry out the public notice requirements for the fourth quarter 2005 Nitrate monitoring and reporting violation in accordance with the instructions on the enclosed public notice template; and
2. **By September 29, 2006**, provide proof of public notice to DES in accordance with the instructions on the enclosed public notice template.

In addition, as specified in the Notice of Violation dated August 8, 2006, proof of public notice for the June 2006 Bacteria Monitoring and Reporting violation is due to this office by September 18, 2006.

In the event compliance is not achieved within the above specified time periods, DES may initiate formal action, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

The proof of public notice as requested above should be addressed as follows or faxed to (603) 271-5171:

Emily Jones
Department of Environmental Services
Water Supply Engineering Bureau
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

Please contact Emily Jones by phone at (603) 271-0659 or by e-mail at ejones@des.state.nh.us if you have any questions regarding this letter.

Sincerely,

 **COPY**

Sarah Pillsbury, P.G., Administrator
Water Supply Engineering Bureau

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encl. Notice of Violation (chemical monitoring), dated February 10, 2006
Notice of Violation (public notice), dated April 14, 2006
Nitrate Public Notice template

cc: Gretchen R. Hamel, DES Legal Unit Administrator
Marlborough Health Officer
EPA, Region I